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*Of Attorneys for Plaintiff*

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

PORTLAND DIVISION

OREGON JV LLC, a New York limited  
liability company,

Plaintiff,

v.

ADVANCED INVESTMENT CORP. d/b/a  
AIC, *et al.*,

Defendants.

Case No. 3:22-CV-00337-HZ

**STIPULATION REGARDING  
DISPOSITION OF DEFENDANTS'  
RULE 12 MOTIONS and PLAINTIFF'S  
MOTION TO FILE AN AMENDED  
COMPLAINT**

Pursuant to the stipulation of counsel of record below, the parties request the Court enter  
an Order as follows:

1. Defendants pending Rule 12 Motions at Docket No. 14, and the joinder  
motion at Docket No. 15, are hereby withdrawn;
2. Plaintiff's Motion to File a First Amended Complaint at Docket No. 22, is  
unopposed by Defendants and should be granted; and
3. Defendants reserve all rights under Rule 12 or otherwise to challenge the  
claims in the First Amended Complaint, and no waiver of any motions or  
defenses under Rule 12 or otherwise is intended by this stipulation.

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DEFENDANTS' RULE 12 MOTIONS and PLAINTIFF'S  
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4. Defendants shall have until September 23, 2022 to file their responses to the First Amended Complaint.

DATED: September 1, 2022.

**SO STIPULATED:**

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By: /s/ Keith A. Pitt  
Keith A. Pitt, OSB No. 973725  
Joseph M. Mabe, OSB No. 045286  
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*Of Attorneys for Plaintiff*

GLEAVES SWEARINGEN LLP

By: /s/ Cassie K. Jones  
Cassie K. Jones, OSB No. 083806  
[jones@gleaveslaw.com](mailto:jones@gleaveslaw.com)  
*Of Attorneys for Defendant CLS Investments, LLC*

THE SMITH FIRM, P.C.

By: /s/ David P. Smith  
David P. Smith, OSB No. 964301  
[dave@thesmithfirmnpc.com](mailto:dave@thesmithfirmnpc.com)  
*Of Attorneys for Advanced Investment Corp., Austin Walker, Anthony J. Favreau and Cynthia L. Favreau, DW&S, LLC, Charles D. Everard, Ada M. Everard, Donna J. Swanson, Diane M. Duyck, Robbin Denise Freedman, Schultz Real Estate Investments, LLC, Michael Silvis, Robert Bayman, Eugene W. Gramzow, John V. K. Fearing, Susan L. Baker, Emily R. Collins, Mark Allen Ditgen, Linda Carol Ditgen, Stephen F. Duffy, Amy S. LaGrander, Margie Nemcik-Cruz, Jonny B. Watson, Michael A. Welt, Robert A. Zoller, RH Ventures, LLC, Ervin Wood, J&D OR Properties, LLC, Matthew David Freedman, Carl M. Dutli, Margaret J. Brown Olson, John M. Compton, Betty Compton, Kurt D. Connell, Erin Ronnie Connell, Craig Alacano, Cynthia L. Alacano, Vic Mitchell and Andrew Strickland*

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**CERTIFICATE OF SERVICE**

I hereby certify that I served the foregoing **STIPULATION REGARDING DISPOSITION OF DEFENDANTS' RULE 12 MOTIONS and PLAINTIFF'S MOTION TO FILE AN AMENDED COMPLAINT** on:

David P. Smith  
The Smith Firm, P.C.  
1754 Willamette Falls Dr.  
West Linn, OR 97068  
*Of Attorneys for All Named Defendants  
(excluding CLS Investments, LLC)*

Cassie K. Jones  
Gleaves Swearingen LLP  
PO Box 1147  
Eugene, OR 97440  
*Of Attorneys for Defendant CLS  
Investments, LLC*

by the following indicated method(s):

- ☐ by **faxing** full, true, and correct copies thereof to said attorney to the fax number noted above, which is the last known fax number for said attorney, on the date set forth below.
- ☒ by **emailing** full, true, and correct copies thereof to said attorney to the email address noted above, which is the last known email address for said attorney, on the date set forth below.
- ☐ by notice of electronic filing using the CM/ECF system (LR 100.7(a)(2)).
- ☐ by causing full, true and correct copies thereof to be **mailed** to the attorney(s) at the attorney(s) last-known office address(es) listed above on the date set forth below.

DATED: September 1, 2022.

SLINDE NELSON

By: /s/ Keith A. Pitt  
Keith A. Pitt, OSB No. 973725  
*Of Attorneys for Plaintiffs*